2001 DRAFTING REQUEST

Bill

Received: 01/03/2001					Received By: champra			
Wanted: A	As time permi	its			Identical to LRB:			
For: Fred	For: Fred Risser (608) 266-1627					Sarah Brigai	nti .	
This file may be shown to any legislator: NO					Drafter: champra			
May Contact:			Addl. Drafters:					
Subject: Employ Pub - retirement			Extra Copies:					
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Requester	r's email:							
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/2	champra 04/04/2001	hhagen 04/09/2001	jfrantze 04/10/200	01	lrb_docadmin 04/10/2001	lrb_docadn 05/03/2001		

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2001 DRAFTING REQUEST

Bill

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Wanted	: As time perm	its			Identical to LRB:			
For: Fre	ed Risser (608)	By/Representing: Sarah Briganti						
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<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

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2001 DRAFTING REQUEST

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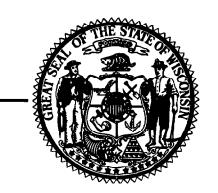
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FRED A. RISSER

President Wisconsin State Senate



To: Rick Champagne

From: Senate President Fred Risser

Date: January 2, 2001

RE: 1999 LRB 3576/3

I am writing to request that 1999 LRB 3576/3 be re-drafted for introduction during the 2001 Legislative Session. 1999 LRB 3576/3 relates to the valuation of a state employee's sick leave credits. I have enclosed a copy of the 1999 bill for your reference.

If you should have any questions, please contact Sarah Briganti in my office at 266-1627.



State of Misconsin 1999 - 2000 LEGISLATURE

LRB-3576/3 RAC:cjs&jlg:km

CRB-1748/1 RAC: hmh

1999 BILL

Regenerate

AN ACT to amend 40.05 (4) (b) and 40.05 (4) (bm) of the statutes; relating to: the valuation of a state employe's accumulated sick leave credits for the payment of health insurance premiums under a group health insurance program administered by the group insurance board.

Analysis by the Legislative Reference Bureau (@)

Under current law, with certain exceptions, if a state employe who is eligible for coverage under the state group health insurance program terminates employment in a position that is covered under the Wisconsin retirement system (WRS) and has attained the minimum age to begin receiving a retirement benefit under WRS, or if a state employe who is eligible for coverage under the state group health insurance program is laid off, the employe's accumulated unused sick leave may be converted, at his or her basic pay rate immediately prior to termination, to credits for the payment of health insurance premiums under the state plan during the employe's retirement or period of layoff.

Currently, any supplementary compensation that is paid for the completion of educational courses to state employes who are classified as teachers, teacher supervisors or education directors is considered as part of the employes' basic pay for the purposes of the sick leave conversion program if the courses have been approved by the employe's employer. This is not the case for such supplementary compensation paid to other state employes.

This bill provides that any supplementary compensation that is paid to any state employe for his or her completion of educational courses is to be considered as

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shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Except as provided in par. (bd), upon conversion of an employe's unused sick leave to credits under this paragraph or par. (bf), the employe or, if the employe is deceased, the employe's surviving insured dependents may elect to delay initiation of deductions from those credits for up to 10 years after the date of the conversion if the employe or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the last day of the 2nd month after the date on which the employe or surviving insured dependents later elect to initiate deductions from those credits. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

Section 2. 40.05 (4) (bm) of the statutes is amended to read:

40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employe shall, upon request of the employe at the time the employe is subject to layoff under s. 40.02 (40). be converted at the employe's current basic pay rate to credits for payment of health insurance premiums on behalf of the employe. Any supplemental compensation that is paid to a state employe who is classified under the state classified civil service as a teacher, teacher supervisor or education director an eligible employe for the employe's completion of educational courses that have been approved by the employe's employer or that are necessary to maintain or acquire certification by a professional organization in the employe's field of employment is considered as part of the employe's basic pay for purposes of this paragraph. The full amount of the



Section #. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee whois classified under the state classified civil service as a teacher, teacher supervisor or education direc--ter for the employee's completion of educational courses that have been approved by the employee's employer)is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Except as provided in par. (bd), upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may elect to delay initiation of deductions from those credits for any period of time if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the last day of the 2nd month after the date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. A health insurance plan or policy is considered

comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

History: 1981 c. 96, 274, 278, 386; 1983 a. 9 s. 6; 1983 a. 27, 30; 1983 a. 46 ss. 2 to 4, 7; 1983 a. 140; 1983 a. 141 ss. 7 to 12, 20; 1983 a. 290, 504, 538; 1985 a. 29, 119, 135, 225; 1987 a. 27, 83, 107, 309, 356, 363; 1987 a. 403 s. 256; 1989 a. 13, 14, 31, 119, 122, 166, 182, 189, 230, 336, 355, 359; 1991 a. 32, 39, 107, 113, 141, 152, 189, 269; 1995 a. 27, 81, 88, 89, 240, 302; 1997 a. 35, 58, 149; 1999 a. 9, 11, 13, 104.

STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

4/4/01
Per Sarah
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conjunction counts
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State of Misconsin 2001 - 2002 LEGISLATURE

BILL

OTHER

2001

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RMR

Regreate

AN ACT to amend 40.05 (4) (b) and 40.05 (4) (bm) of the statutes; relating to: the valuation of a state employee's accumulated sick leave credits for the payment of health insurance premiums under a group health insurance program administered by the group insurance board.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, if a state employee who is eligible for coverage under the state group health insurance program terminates employment in a position that is covered under the Wisconsin retirement system (WRS) and has attained the minimum age to begin receiving a retirement benefit under WRS, or if a state employee who is eligible for coverage under the state group health insurance program is laid off, the employee's accumulated unused sick leave may be converted, at his or her basic pay rate immediately prior to termination, to credits for the payment of health insurance premiums under the state plan during the employee's retirement or period of layoff.

Currently, any supplementary compensation that is paid for the completion of educational courses to state employees who are classified as teachers, teacher supervisors, or education directors is considered as part of the employees' basic pay for the purposes of the sick leave conversion program if the courses have been approved by the employee's employer. This is not the case for such supplementary compensation paid to other state employees.

This bill provides that any supplementary compensation that is paid to any state employee for his or her completion of educational courses is to be considered as

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part of the employee's basic pay for the purposes of the sick leave conversion program if the courses have been approved by the employee's employer or if the courses are necessary to maintain or acquire certification by a professional organization in the employee's field of employment.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director an eligible employee for the employee's completion of educational courses that have been approved by the employee's employer or that are necessary to maintain or acquire certification by a professional organization in the employee's field of employment is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The

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department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Except as provided in par. (bd), upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may elect to delay initiation of deductions from those credits for any period of time if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the last day of the 2nd month after the date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 2. 40.05 (4) (bm) of the statutes is amended to read:

40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon request of the employee at the time the employee is subject to layoff under s. 40.02 (40), be converted at the employee's current basic pay rate to credits for payment of health insurance premiums on behalf of the employee. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director and examples of the employee's completion of educational courses that have been approved by the employee's employer of that are necessary to maintain or acquire certification by a professional organization in the employee's field of employee's lastic pay for purposes of this

an eligible employee

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paragraph. The full amount of the required employee contribution for any eligible
employee who is insured at the time of the layoff shall be deducted from the credits
until the credits are exhausted, the employee is reemployed, or 5 years have elapsed
from the date of layoff, whichever occurs first.

SECTION 3. Initial applicability.

(1) This act first applies to supplemental compensation that is paid to an eligible employee on the effective date of this subsection.

(END)



State of Misconsin

10 2001

LEGISLATIVE REFERENCE BUREAU

STEPHEN R. MILLER CHIEF 100 NORTH HAMILTON STREET 5TH FLOOR MADISON, WI 53701-2037

LEGAL SECTION:

(608) 266-3561 (608) 264-6948

April 10, 2001

MEMORANDUM

To:

Senator Risser

From:

Rick A. Champagne, Senior Attorney

Re:

LRB-1748/2 Valuation of sick leave credits for the payment of health insurance for

state employees

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR	RASSEMBLY	<i>b</i>	JACKET FOR	SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9930 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

FRED A. RISSER

President Wisconsin State Senate



6/12/01

Rickplease re-draft with changes noted.

> Thank you! Sevan Briganti

PS-please send an e-copy of the revision.

AN ACT *to amend* 40.05 (4) (b) and 40.05 (4) (bm) of the statutes; **relating to:**the valuation of a state employee's accumulated sick leave credits for the
payment of health insurance premiums under a group health insurance
program administered by the group insurance board.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, if a state employee who is eligible for coverage under the state group health insurance program terminates employment in a position that is covered under the Wisconsin retirement system (WRS) and has attained the minimum age to begin receiving a retirement benefit under WRS, or if a state employee who is eligible for coverage under the state group health insurance program is laid off, the employee's accumulated unused sick leave may be converted, at his or her basic pay rate immediately prior to termination, to credits for the payment of health insurance premiums under the state plan during the employee's retirement or period of layoff.

Currently, any supplementary compensation that is paid for the completion of educational courses to state employees who are classified as teachers, teacher supervisors, or education directors is considered as part of the employees' basic pay for the purposes of the sick leave conversion program if the courses have been approved by the employee's employer. This is not the case for such supplementary compensation paid to other state employees.

This bill provides that any supplementary compensation that is paid to any state employee for his or her completion of educational courses is to be considered as

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part of the employee's basic pay for the purposes of the sick leave conversion program at the time of retirement if the courses have been approved by the employee's employer or if the courses are necessary to maintain or acquire certification by a professional organization in the employee's field of employment. If an employee is laid off, the bill provides that any supplemental compensation that is paid to a state employee may be considered part of the employee's basic pay for the purpose of the sick leave conversion program during the period of layoff.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is shi paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director an eligible employee for employee's completion of educational courses that have been approved by the employee's employer or that are necessary to maintain or acquire certification by a professional organization in the employee's field of employment is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from

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basic pay for purposes of this paragraph. The full amount of the required employee
contribution for any eligible employee who is insured at the time of the layoff shall
be deducted from the credits until the credits are exhausted, the employee is
reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

SECTION 3. Initial applicability.

(1) This act first applies to supplemental compensation that is paid to an eligible employee on the effective date of this subsection.

(END)



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State of Misconsin 2001 – 2002 LEGISLATURE

LRB-1748/2 3 RAC:hmh:jf

2001 BILL

OTHER

AN ACT to amend 40.05 (4) (b) and 40.05 (4) (bm) of the statutes; relating to:
the valuation of a state employee's accumulated sick leave credits for the
payment of health insurance premiums under a group health insurance
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Currently, any supplementary compensation that is paid for the completion of educational courses to state employees who are classified as teachers, teacher supervisors, or education directors is considered as part of the employees' basic pay for the purposes of the sick leave conversion program if the courses have been approved by the employee's employer. This is not the case for such supplementary compensation paid to other state employees.

This bill provides that any supplementary compensation that is paid to any state employee for histor her completion of educational courses is to be considered as

relating to shift differentials or standing pay,

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part of the employee's basic pay for the purposes of the sick leave conversion program at the time of retirement if the courses have been approved by the employee's employer or if the courses are necessary to maintain or acquire certification by a professional organization in the employee's field of employment. If an employee is laid off, the bill provides that any supplemental compensation that is paid to a state employee may be considered part of the employee's basic pay for the purpose of the sick leave conversion program during the period of layoff.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director and eligible employee for the -employee's completion of educational courses that have been approved by the employee's employer or that are necessary to maintain or acquire certification by a (professional organization in the employee's field of employment is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from

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the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Except as provided in par. (bd), upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may elect to delay initiation of deductions from those credits for any period of time if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the last day of the 2nd month after the date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 2. 40.05 (4) (bm) of the statutes is amended to read:

40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon request of the employee at the time the employee is subject to layoff under s. 40.02 (40), be converted at the employee's current basic pay rate to credits for payment of health insurance premiums on behalf of the employee. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director for the employee's completion of educational courses that have been approved by the employee's employer an eligible employee is considered as part of the employee's

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basic pay for purposes of this paragraph. The full amount of the required employee
contribution for any eligible employee who is insured at the time of the layoff shall
be deducted from the credits until the credits are exhausted, the employee is
reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

SECTION 3. Initial applicability.

(1) This act first applies to supplemental compensation that is paid to an eligible employee on the effective date of this subsection.

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